

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-25 are pending in the application; with claims 1, 15, and 21 being independent. Claims 1, 15, and 21 have been amended to better define the present invention.

35 U.S.C. § 102 & 103 Rejections

Claims 1-5 and 7-25 were rejected under 35 U.S.C. §102(c) as allegedly being anticipated by Bamburak (U.S. Patent Pub. No. 2005/0113089). Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bamburak in view of Lynch (U.S. Patent No. 5,586,338). Applicant respectfully traverses each of these rejections for at least the following reasons.

Rejections under §102 to Bamburak

Regarding independent claims 1 and 15, Bamburak merely shows a mobile communication device which, after initially powering up, locates and registers with a service provider. This is performed by searching the spectrum and examining received provider code(s) (e.g., SOC's or SID's) to determine whether the service provider is an optimal, preferred or prohibited service provider (see, e.g., paragraph [0027]).

Specifically, Bamburak shows a process that a control system executes in order to find a desirable service provider. As shown in Fig. 4, the control system initializes a non-optimal flag by clearing the flag. In step 32, the control system then determines whether the last service provider, that is, the service provider used before powered down, was an optimal service provider. This is determined by checking the SOC or SID of the last service provider and determining whether that service provider's SOC or SID corresponds to the SOC or SID of an optimal service provider. The SOC or SID of the last service provider and a list of optimal and preferred service providers is stored in memory 16. If in step 32 it is determined that the prior service provider was not optimal, a global spectrum search is executed (see, e.g., [0028], lines 1 - 13, and Fig. 4).

If the last service provider was optimal, step 34 is executed where the control system attempts to lock onto the control signal of the service provider. If the lock is unsuccessful, which may indicate that that control channel is no longer available or out of range, the global spectrum search is executed. If a lock is successful, step 36 is executed. In step 36, it is determined whether the control channel contains the SOC or SID of an optimal service provider. Once again, this is determined by comparing the SOC or SID from the control signal with a list of optimal service provider SOC or SIDs. If the SOC or SID does not belong to that of an optimal service provider, the global spectrum search 33 is executed and the identity of the frequency band in which the non-optimal SOC or SID was located is passed to global search routine 33 so as to avoid unnecessarily searching this portion of the spectrum again. If in step 36 it is determined that an optimal service provider has been located, step 38 registers communication device 10 with the service provider (see, e.g., [0028], lines 13 - 31, and Fig. 4).

However, Bamburak fails to show, at least, “wherein the initiating utilizes system identification and corresponding frequency information which are stored in the mobile station prior to the acquisition/registration,” as recited in claim 1; and “retrieving frequency, system identification, and mode information, stored in the mobile station prior to the selecting, for each of the plurality of wireless communications systems,” as recited in claim 15 (emphasis added).

Instead, Bamburak merely shows the mobile device as having no knowledge of the identity of the available service provider prior to frequency scanning and locking onto the signal. Bamburak expressly describes determining the SOC or SID by decoding the received control channel or otherwise extracting this information from the received signal.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1 and 15.

Independent claim 21 recites related subject matter to independent claim 1, and is therefore allowable at least for reasons similar to those given above.

Further, the dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

Rejections under §103 to Bamburak in view of Lynch

Regarding dependent claim 6, Applicants submit Bamburak fails to teach or suggest all of the features included therein by virtue of its dependency from allowable claim 1.

Moreover, Applicants submit Lynch fails to cure the deficiencies of Bamburak. Lynch merely teaches subscriber units which are programmed to scan all radio frequencies in all of the available frequency bands in the radio telephone communication system to record at least one System Identification Number (SID) for each of the radio frequency bands (col. 3, line 64 – col. 4, line 2).

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 6.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

Respectfully submitted,
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